



**FITCH EVEN TABIN & FLANNERY**  
INTELLECTUAL PROPERTY LAW | EST. IN 1859

IAP6 Rec'd PCT/PTO 11 MAY 2006

**Michael A. Sanzo**  
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May 11, 2006

Commissioner of Patents  
U.S. Patent and Trademark Office  
Customer Service Window, **MS PCT**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Re: Response to Notification of Missing Requirements  
Appl. No.: 10/566,606  
Filed: January 31, 2006  
For: **Process for the Preparation of L-Threonine**  
Inventor(s): Kruse, *et al.*  
Atty. Dkt.: 7601/88007

Dear Sir:

In response to the **Notification of Missing Requirements** dated **March 15, 2006**, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. A copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
2. Declaration Under 37 C.F.R. § 1.63 and Power of Attorney executed by inventors Daniela Kruse, Thomas Hermann, Georg Thierbach, and Mechthild Rieping (5 pages); and
3. Return postcard.

**The Director is hereby authorized to charge the fee in the amount of \$130.00 for the late filing of an oath or declaration to our Deposit Account No. 06-1135 under Order No. 7601/88007. The Director is also authorized to charge any fee deficiency with respect to this filing and any other fee required in connection with the present case, or credit any overpayment, to our Deposit Account No. 06-1135 under Order No. 7601/88007.**

05/19/2006 HKAYPAGH 00000134 061135 10566606

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Commissioner of Patents  
May 11, 2006  
Page 2

APPROPRIATE 11 MAY 2006

It is respectfully requested that the enclosed postcard be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Very truly yours,

FITCH, EVEN, TABIN & FLANNERY



Michael A. Sanzo  
Reg. No. 36,912  
Attorney for Applicants

MAS:ct  
Enclosures

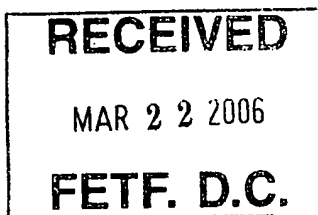


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/566,606	Daniela Kruse	760188007

42798  
FITCH, EVEN, TABIN & FLANNERY  
P. O. BOX 65973  
WASHINGTON, DC 20035



INTERNATIONAL APPLICATION NO.	
PCT/EP04/08390	
I.A. FILING DATE	PRIORITY DATE
07/27/2004	08/01/2003

CONFIRMATION NO. 3571  
371 FORMALITIES LETTER



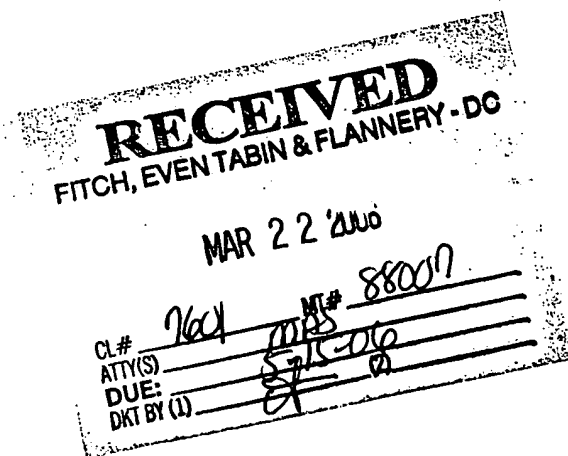
\*OC000000018271060\*

Date Mailed: 03/15/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/31/2006
- Copy of the International Search Report filed on 01/31/2006
- Preliminary Amendments filed on 01/31/2006
- Biochemical Sequence Diskette filed on 01/31/2006
- Biochemical Sequence Listing filed on 01/31/2006
- U.S. Basic National Fees filed on 01/31/2006
- Substitute Specification filed on 01/31/2006
- Priority Documents filed on 01/31/2006
- Specification filed on 01/31/2006
- Claims filed on 01/31/2006
- Abstracts filed on 01/31/2006
- Paper nucleotide sequence listings filed on 01/31/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

FETF. D.C.	
Sent To Docketing	
3-22-06	BMS
Date	Initials

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/566,606	PCT/EP04/08390	760188007